IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.1112 OF 2007
IN
SUIT NO.212 OF 1995

Aspandiar Rashid Irani. ..Plaintiff.

V/s.

Mandan R.Ahrestani & Ors. ..Defendants.

And

Mrs.Daulat Keki Irani & Ors. ..Respondents.

Mr.Vaidehi Mahispurkar for plaintiff.

Mr.Rajiv A. Jadhav i/b. Y.R.Shah for defendant No.5.

CORAM: A.M.KHANWILKAR,J

DATE : JULY 30, 2007.

P.C. :

1. None appears for the Defendants or Respondents except Defendant No.5. Delay in filing present Chamber Summons is only seven days. For the reasons mentioned in the affidavit in support of the Chamber Summons being sufficient cause in the interest of justice, this Chamber Summons deserves to be allowed in terms of the prayer clause (a) to (c).

2. I am conscious of the fact that affidavit of service has not been filed by the Plaintiff so far. Though Notices have been dispatched long back,

acknowledgements are awaited. Even so, I am disposing of this Chamber Summons on the assumption that there will be no serious contest for grant of reliefs in this Chamber Summons. Even if the Defendants/Respondents were to oppose this Chamber Summons, as the delay is only of seven days, as mentioned earlier, in the interest of justice, the Plaintiff’s request will have to be accepted.

3. Accordingly, Chamber Summons is made absolute in terms of prayer clause (a) to (c). Amendment to be carried out within two weeks from today.

(A.M.KHANWILKAR,J)